

REMARKS

Favorable reconsideration of this application, in view of the following remarks, is respectfully requested.

Claims 1-14 remain pending in this application.

In the outstanding Office Action, Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashizume et al. (U.S. Patent Application Publication No. 2003/0142955 A1, hereinafter “Hashizume”) in view of Seo (U.S. Patent No. 6,798,980 B1).

Applicants hereby express appreciation for the grant of a personal interview on November 25, 2008. During the interview, it was argued that Figs. 15-17 of Hashizume, which has a filing date of December 19, 2002 are not available as a reference to reject the claims of this application which has a filing date of January 30, 2001. More particularly, it was pointed out that because Hashizume is a continuation in part of Hashizume application no. 09/150,235, filed on September 10, 1998, only the common subject matter is available as a reference. Since the parent application does not include FIGs. 15-17 and the associated specification description, that portion of Hashizume has an effective filing date of December 19, 2002 and does not qualify as prior art under any section of 35 U.S.C. §102. It was further pointed out that the claims are patentable over the references including Hashizume Figs. 1-14 and the associated specification description.

During the interview, the Examiner agreed that Figures 15 and 16 cannot be used to reject the claims of the current application and that further search and consideration would be required.

Accordingly, it is respectfully submitted that the arguments presented during the interview and outlined above constitute a complete response to the outstanding Office Action. Accordingly, it is respectfully requested that the rejection of Claims 1-14 be reconsidered and withdrawn, and that Claims 1-14 be found allowable.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, reading "Michael L. Gellner". The signature is written in a cursive style with a horizontal line underneath the name.

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